

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PERRY ASHELMAN,

Plaintiff,

v.

D. VAN OGLE, et al.,

Defendants.

CASE NO. C09-5389BHS


ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 32). The Court having considered the Report and Recommendation and the remaining record, and no objections having been filed, does hereby find as follows:

- (1) The Court adopts the Report and Recommendation;
- (2) The Court **ORDERS** that Defendants' motion for summary judgment (Dkt. 27) is **GRANTED**; and

(3) The Court **ORDERS** that the case be **DISMISSED WITH PREJUDICE**;
thus Plaintiff's motion for summary judgment (Dkt. 29) is **DENIED** as moot.

DATED this 7th day of June, 2010.



BENJAMIN H. SETTLE
United States District Judge